

IN THE INDIANA SUPREME COURT

Cause No. 94S00-_____-MS-_____

ORDER AMENDING
INDIANA RULES OF APPELLATE PROCEDURE

Under the authority vested in the Indiana Supreme Court to provide by rule for the procedures employed in all courts of this state and this Court's inherent authority to supervise the administration of the courts of this state, Rules 2, 9, 10, 11, 12, 15, 22, 23, 24, 28, 29, 30, 39, 43, 44, 46, 50, 52, 54, 63, 65 and Form App. R 15-1 of the Indiana Rules of Appellate Procedure are amended as directed below (deletions shown by ~~striking~~ and new text shown by underlining).

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Ind. Appellate Rule 2(K) is amended as follows:

K. Transcript. Transcript shall mean the t~~Transcript~~ or t~~Transcripts~~ of all or part of the proceedings in the trial court or Administrative Agency that any party has designated for inclusion in the Record on Appeal and any exhibits associated therewith.

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Ind. Appellate Rule 9(A)(1) is amended as follows:

(1) *Appeals from Final Judgments.* A party initiates an appeal by filing a Notice of Appeal with the trial court clerk within thirty (30) days after the entry of a Final Judgment. However, if any party files a timely motion to correct error, a Notice of Appeal must be filed within thirty (30) days after the court's ruling on such motion, or thirty (30) days after the motion is deemed denied under Trial Rule 53.3, whichever occurs first. The Notice of Appeal shall be served on all parties of record in the trial court and filed with the Clerk. The Notice of Appeal shall also be served upon the Attorney General in all Criminal Appeals and any appeals from a final judgment declaring a state statute unconstitutional in whole or in part. (See Form # App.R. 9 - 1)

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Ind. Appellate Rule 10(C) is amended as follows:

C. Notice of Completion of Clerk's Record. On or before the deadline for assembly of the Clerk's Record, the trial court clerk or Administrative Agency shall issue and file a Notice of Completion of Clerk's Record with the Clerk and shall serve a copy on the parties to advise them ~~send notice to the parties~~ that the Clerk's Record has been assembled and is complete. The Notice of Completion of Clerk's Record shall include a certified copy of the Chronological Case Summary and shall state whether the Transcript is (a) completed, (b) not completed, or (c) not requested. (See Form # App.R. 10-1). Copies of the Notice of Completion of Clerk's Record served on the parties shall include a copy of the Chronological Case Summary included with the original, but the copies served on the parties need not be individually certified.

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Ind. Appellate Rule 10(E) is amended as follows:

E. Extension of Time to Complete Clerk's Record. The trial court clerk or Administrative Agency may move the Court on Appeal designated in the Notice of Appeal for an extension of time to assemble the Clerk's Record pursuant to Rule 35 (A) and shall state in such motion the factual basis for inability to comply with the prescribed deadline despite exercise of due diligence. (See Form # App.R. 10-3). The trial court clerk shall file an original and one copy of the motion with the Clerk and shall serve a copy of the motion on the parties. Motions for extension of time in interlocutory appeals, appeals involving worker's compensation, issues of child custody, support, visitation, paternity, adoption, determination that a child is in need of services, and termination of parental rights are disfavored and shall be granted only in extraordinary circumstances.

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Ind. Appellate Rule 10(F) is amended as follows:

F. Failure to File Notice of Completion of Clerk's Record. If the trial court clerk or Administrative Agency fails to issue, file, and serve a timely Notice of Completion of Clerk's Record, the appellant shall seek an order from the Court on Appeal compelling the trial court clerk or Administrative Agency to complete the Clerk's Record and issue, file, and serve its Notice of Completion. Failure of appellant to seek such an order not later than fifteen (15) days after the Notice of Completion of Clerk's Record was due to have been issued, filed, and served shall subject the appeal to dismissal.

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Ind. Appellate Rule 10(G) is amended as follows:

G. Failure to File Notice of Completion of Transcript. If the trial court clerk or Administrative Agency fails to issue, file, and serve a timely Notice of Completion of Transcript required by Rule 10(D), the appellant shall seek an order from the Court on Appeal compelling the trial court clerk or Administrative Agency to issue, file and serve the Notice of Completion of Transcript. Failure of appellant to seek such an order not later than fifteen (15) days after the Notice of Completion of Transcript was due to have been issued, filed, and served shall subject the appeal to dismissal.

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Ind. Appellate Rule 11(A) is amended as follows:

A. Preparation of Transcript. The court reporter shall prepare, certify and file the Transcript designated in the Notice of Appeal with the trial court clerk or Administrative Agency in accordance with Rules 28, 29, and/or 30. Preparation of the separately-bound volumes of exhibits as required by Rule 29 is considered part of the Transcript preparation process. The court reporter shall provide notice to all parties to the appeal that the transcript has been filed with the clerk of the trial court or Administrative Agency in accordance with Rules 28, 29, and/or 30. (See Form # App.R. 11-1)

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Ind. Appellate Rule 11(B) is amended as follows:

B. Deadline for Filing Transcript. For the period until July 1, 2003, and until revised thereafter, the court reporter or Administrative Agency shall have ninety (90) days after the appellant files the Notice of Appeal to file the Transcript with the trial court clerk or Administrative Agency.

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Ind. Appellate Rule 11(C) is amended as follows:

C. Extension of Time to File Transcript. The court reporter may move the Court on Appeal designated in the Notice of Appeal for an extension of time to file the Transcript pursuant to Rule 35 (A) and shall state in such motion the factual basis for inability to comply with the prescribed deadline despite exercise of due diligence. (See Form # App.R. 11-2). The court reporter shall file an original and one copy of the motion with the Clerk and shall serve a copy of the motion on the parties. Motions for extension of time in interlocutory appeals, appeals involving worker's compensation, issues of child custody, support, visitation, paternity, adoption, determination that a child is in need of services, and termination of parental rights are disfavored and shall be granted only in extraordinary circumstances.

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Ind. Appellate Rule 11(D) is amended as follows:

D. Failure to Complete Transcript. If the court reporter fails to file the Transcript with the trial court clerk within the time allowed, the appellant shall seek an order from the Court on Appeal compelling the court reporter to do so. Failure of appellant to seek such an order not later than fifteen (15) days after the Transcript was due to have been filed with the trial court clerk shall subject the appeal to dismissal.

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Ind. Appellate Rule 12(B) is amended as follows:

B. Transcript. In appeals other than Criminal Appeals, the trial court clerk shall retain the Transcript until the Clerk notifies the trial court clerk that all briefing is completed, and the trial court clerk shall then transmit the Transcript to the Clerk. In Criminal Appeals in which the appellant is not represented by the State Public Defender, the Clerk shall notify the trial court clerk when the Appellant's brief has been filed, and the trial court clerk will then transmit the Transcript to the Clerk. In Criminal Appeals in which the appellant is represented by the State Public Defender, the trial court clerk shall transmit the Transcript to the Clerk when the court reporter has completed the preparation, certification and filing in accordance with Rule 11(A). The trial court clerk is entitled to obtain from the appellant reimbursement for the cost of transmitting the Transcript. Any party may withdraw the Transcript or, at the trial court clerk's option, a copy, at no extra cost, from the trial court clerk for a period not to exceed the period in which the party's brief is to be filed. Any party may move the Court on Appeal to order the trial court clerk to transmit the Transcript at a different time than provided for in this Rule.

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Ind. Appellate Rule 12(C) is amended as follows:

C. Access to Record on Appeal. Unless limited by the trial court, any party may copy any document from the Clerk's Record and any portion of the Transcript. After a Transcript or Appendix has been transmitted to or filed with the Clerk, a party to the appeal may arrange to have access to that Transcript or Appendix during the time period that party is working on a brief, subject to any internal rules the Clerk may adopt to provide an accounting for the location of those materials and for ensuring fair access to the Transcript and Appendices by all parties.

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Ind. Appellate Rule 12(D) is amended as follows:

D. Appeals from Administrative Agencies. When the appeal is from an Administrative Agency, reference to the "trial court clerk" shall mean the Aadministrative Agency.

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Ind. Appellate Rule 15(C)(4) is amended as follows:

(4) *Appeal Information.*

(a) A short and plain statement of the anticipated issues on appeal; provided, however, that the statement of anticipated issues shall not prevent the raising of any issue on appeal;

(b) Prior appeals in same case;

(c) Related appeals (prior, pending or potential) known to the party;

(d) Whether a motion for oral argument will be filed~~Whether a request for oral argument is anticipated;~~

(e) Whether a motion for pre-appeal conference will be filed~~Pre-appeal conference request; if desired, including purpose of proposed conference;~~

(f) In Criminal Appeals, the status of the defendant (e.g., on bond, incarcerated and, if so, where);

(g) Whether Alternative Dispute Resolution has been used and whether it should be used on appeal; and

(h) Certification that case does or does not involve issues of child custody, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights, and all other appeals entitled to priority by rule or statute.

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Ind. Appellate Rule 15(D)(2) is amended as follows:

(2) In Criminal Appeals, a copy of the judgment or order appealed from, including any sentencing order;

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Ind. Appellate Rule 22(B) is amended as follows:

B. Citations to Indiana Statutes, Regulations and Court Rules.
Citation to Indiana statutes, regulations, and court rules shall comply with the following citation format for initial references and subsequent references:

<u>Initial</u>	<u>Subsequent</u>
Ind._Code § 34-1-1-1 (20xx)	I.C. § 34-1-1-1
Ind._Admin._Code <u>tit. 34, r. 12-5-1 (20xx)</u>	34 IAC 12-5-1
Ind._Trial Rule 56	T.R. 56
Ind._Crim._Rule 4(B) (1)	Crim._R. 4(B) (1)
Ind._Post-Conviction Rule 2(2) (b)	P-C.R._2(2) (b)
Ind._Appellate Rule 8-2(B)(1)	App._R._ 8-2(B)(1)
Ind._Original Action Rule 3(A)	Orig._Act._R._3(A)
Ind._Child Support Rule 2	Child._Supp._R._2
Ind._Child Support Guideline 3(D)	Child._Supp._G._3(D)
Ind._Small Claims Rule 8(A)	S.C.R._8(A)
Ind._Tax Court Rule 9	Tax._Ct._R._9
Ind._Administrative Rule 7(A)	Admin._R._7(A)
Ind._Judicial Conduct Canon 2(A)	Jud._Canon_2(A)
Ind._Professional Conduct Rule 6.1	Prof._Cond._R._6.1
Ind._Alternative Dispute Resolution Rule 2	A.D.R._2
Ind._Admission and Discipline Rule 23(2) (a)	Admis._Disc._R._23(2) (a)
Ind._Evidence Rule 301	Evid._R._301

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Ind. Appellate Rule 22(C) is amended as follows:

C. References to the Record on Appeal. Any factual statement shall be supported by a citation to the page where it appears in an Appendix, and if not contained in an Appendix, to the page it appears in the Transcript or exhibits, e.g., Appellant's App. pP.5; Answer p. 10; Tr. pP. 231-32. Any record material cited in an appellate brief must be reproduced in an Appendix or the Transcript or exhibits. ~~unless it is already before the Court on Appeal.~~ Any record material cited in an appellate brief that is also included in an Addendum to Brief should include a citation to the Appendix or Transcript and to the Addendum to Brief.

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Ind. Appellate Rule 22(E) is amended as follows:

E. Abbreviations. The following abbreviations may be used without explanation in citations and references: Addend. (addendum to brief), App. (appendix), Br. (brief), CCS (chronological case summary), Ct. (court), Def. (defendant), Hr. (hearing), Mem. (memorandum), Pet. (petition), Pl. (plaintiff), Supp. (supplemental), Tr. (Transcript).

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Ind. Appellate Rule 23(C)(2)(a) is amended as follows:

(a) An original and one (1) copy of a motion for extension of time, ~~and~~ a motion to withdraw the record, a motion to withdraw appearance, and a motion to file an oversize document.

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Ind. Appellate Rule 23(C)(3) is amended as follows:

(3) Briefs, Addenda to Briefs, Petitions, Additional Authorities. An original and eight (8) copies of all briefs, Addenda to Briefs, Petitions to Transfer, Petitions for Rehearing, Petitions for Review and notices of additional authorities.

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Ind. Appellate Rule 23(C)(6) is amended and 23(C)(7) added as follows:

(6) Notices by the trial court clerk or Administrative Agency. One (1) original of the Notice of Completion of Clerk's Record and Notice of Completion of Transcript. See Rules 10(C) and (D).

(7) Other Documents. An original and five (5) copies of all other documents filed with the Clerk.

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Ind. Appellate Rule 24(A) is amended as follows:

A. Required Service. The Appellant's Case Summary and appearances must be served on all parties to the appeal (see Rule 17), any persons seeking party status, and any persons required by statute to be served. Unless otherwise provided by these Rules, all other documents tendered to the Clerk for filing must be served upon all parties who have filed an Appellant's Case Summary or an appearance under Rules 15 or 16, any persons seeking party status, and any persons required by statute to be served. However, in Criminal Appeals only, any Appendix or Supplemental Appendix need not be served on the Attorney General.

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Ind. Appellate Rule 28(A)(1) is amended as follows:

(1) *Paper.* The Transcript shall be prepared upon 8½ ~~8½~~ x 11 inch white paper.

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Ind. Appellate Rule 28(A)(4) is amended as follows:

(4) *Header or Footer Notations.* The court reporter shall note in boldface capital letters at the top or bottom of each page where a witness's direct, cross, or redirect examination begins. No other notations are required.

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Ind. Appellate Rule 29(A) is amended as follows:

A. Documentary Exhibits. Documentary exhibits, including testimony in written form filed in Administrative Agency proceedings and photographs, shall be included in separately-bound volumes that conform to the requirements of Rule 28(A)(6). The court reporter shall also prepare an index of the exhibits contained in the separately-bound volumes, and that index will be placed at the front of the first volume of exhibits.

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Ind. Appellate Rule 30(A)(2) is amended as follows:

(2) *Transcription of Evidence.* Consistent with the standards set forth in this rule, the court reporter shall transcribe the evidence on an electronically formatted medium (such as disk, CD-ROM, or zip drive) ~~disk~~ thereby creating an electronic Transcript. The electronic Transcript shall be paginated and the lines sequentially numbered. Marginal notations are not required, but the electronic Transcript shall designate the point at which exhibits, by each number, are considered at trial.

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Ind. Appellate Rule 30(A)(3) is amended as follows:

(3) *Technical Standards.* Standards for CD-ROM and disk size, formatting, transmission, and word processing software shall be determined ~~jointly by the Division of State Court Administration and the Indiana Commission on Public Records.~~ The Division of State Court administration shall publish the established standards and distribute copies of such rules to all trial court clerks and Administrative Agencies.

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Ind. Appellate Rule 30(A)(5) is amended as follows:

(5) *Labeling.* The court reporter shall transcribe the evidence on sequentially numbered disks in the event more than one disk is required for complete transcription. Multiple disks or sets of sequentially numbered disks shall be prepared and designated as "official record," "official working copy," "court reporter's copy," or "party copy." Each disk shall be labeled to identify the names of the parties and case number in the proceedings in the trial court; ~~the attorney requesting the Transcript and attorney number;~~ the Court on Appeal case number, if known; the disk number, if more than one (1) disk is required for a complete Transcript; the signature of the court reporter; and whether the disk is the official records, official working copy, court reporter's copy, or party copy.

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Ind. Appellate Rule 39(B) is amended as follows:

B. Motion in Trial Court or Administrative Agency. A motion for stay pending appeal may not be filed in the Court on Appeal unless a motion for stay was filed and denied by the trial court or by the Administrative Agency if it has authority to grant a stay. If the Administrative Agency does not have such authority, application for stay may be made directly to the Court on Appeal.

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Ind. Appellate Rule 43(H) is amended as follows:

H. Cover Colors. The document shall have a front and back cover in the following colors:

Appellant's Brief and Appendix: Blue.
Appellee's Brief and Appendix: Red.
Any reply brief (except as provided below): Gray.
Brief of intervenor or amicus curiae: Green.
Petition for Rehearing: White.
Brief in response to a Petition for Rehearing: White.
Petition to Transfer or for Review: Orange.
Brief in response to a Petition seeking Transfer or Review:
Yellow.
Reply brief to brief in response to a Petition seeking Transfer or Review: Tan.
Petitioner's brief after Review of a Tax Court decision is granted: Blue.
Response brief after Review of a Tax Court decision is granted: Red.
Reply brief after Review of a Tax Court decision is granted: Gray.

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Ind. Appellate Rule 44(B) is amended as follows:

B. Oversized Brief. A motion requesting leave to file any oversized brief or Petition shall be filed at least fifteen (15) days before the brief or Petition is due. The motion shall state the total number of words requested, not pages.

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Ind. Appellate Rule 44(D) is amended as follows:

D. Page Limits. Unless a word count complying with Section E is provided, a brief or Petition may not exceed the following number of pages:

Appellant's brief: thirty (30) pages
Appellee's brief: thirty (30) pages
Reply brief (except as provided below): fifteen (15) pages
Reply brief with cross-appellee's brief: thirty (30) pages
Brief of intervenor or amicus curiae: fifteen (15) pages
Petition for Rehearing: ten (10) pages
Brief in response to a Petition for Rehearing: ten (10) pages
Petition to Transfer or for Review: ten (10) pages
Brief in response to a Petition seeking Transfer or Review: ten (10) pages
Reply brief to brief in response to a Petition seeking Transfer or Review: three (3) pages
Petitioner's brief after Review of a Tax Court decision is granted: thirty (30) pages
Response brief after Review of a Tax Court decision is granted: thirty (30) pages
Reply brief after Review of a Tax Court decision is granted: fifteen (15) pages

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Ind. Appellate Rule 44(E) is amended as follows:

E. Word Limits. A brief or Petition exceeding the page limit of Section D may be filed if it does not exceed, and the attorney or the unrepresented party preparing the brief or Petition certifies that, including footnotes, it does not exceed, the following number of words:

Appellant's brief: 14,000 words
Appellee's brief: 14,000 words
Reply brief (except as provided below): 7,000 words
Reply brief with cross-appellee's brief: 14,000 words
Brief of intervenor or amicus curiae: 7,000 words
Petition for Rehearing: 4,200 words
Brief in response ~~opposition~~ to a Petition for Rehearing: 4,200 words
Petition to Transfer or for Review: 4,200 words
Brief in response to a Petition seeking ~~opposing~~ Transfer or Review: 4,200 words
Reply brief to brief in response to a Petition seeking Transfer or Review: 1,000 words
Petitioner's brief after Review of a Tax Court decision is granted: 14,000 words
Response brief after Review of a Tax Court decision is granted: 14,000 words
Reply brief after Review of a Tax Court decision is granted: 7,000 words

Ind. Appellate Rule 46(A)(4) is amended as follows:

(4) *Statement of Issues.* This statement shall concisely and particularly describe each issue presented for Rreview.

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Ind. Appellate Rule 46(A)(5) is amended as follows:

(5) *Statement of Case.* This statement shall briefly describe the nature of the case, the course of the proceedings relevant to the issues presented for Rreview, and the disposition of these issues by the trial court or Administrative Agency. Page references to the Record on Appeal or Appendix are required in accordance with Rule 22(C).

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Ind. Appellate Rule 46(E)(1) is amended as follows:

(1) *Preparation.* An amicus curiae brief shall include a table of contents, table of authorities, a brief statement of the interest of the amicus curiae, ~~table of contents, table of authorities,~~ summary of argument, argument, conclusion, word count certificate, if needed, and certificate of service. See Rule 24(D).

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Ind. Appellate Rule 46(H) is added as follows:

H. Addendum to Brief. Any party or any entity granted *amicus curiae* status may elect to file a separately-bound Addendum to Brief. An Addendum to Brief is not required and is not recommended in most cases. An Addendum to Brief is a highly selective compilation of materials filed with a party's brief at the option of the submitting party. Note that only one copy of the Appendix is filed (see Rule 23(C)(5)), but an original and eight copies of any Addendum to Brief must be filed, in accordance with Rule 23(C)(3). If an Addendum to Brief is submitted, it must be filed and served at the time of the filing and service of the brief it accompanies. An Addendum to Brief may include, for example, copies of key documents from the Clerk's Record or Appendix (such as contracts), or exhibits (such as photographs or maps), or copies of critically important pages of testimony from the Transcript, or full text copies of statutes, rules, regulations, etc. that would be helpful to the Court on Appeal but which, for whatever reason, cannot be conveniently or fully reproduced in the body of the brief. An Addendum to Brief may not exceed fifty (50) pages in length and should ordinarily be much shorter in length.

The first document in the Addendum to Brief shall be a table of contents, and documents contained in the Addendum to Brief should be indexed or numbered in some manner that facilitates finding the documents referred to therein, preferably with indexed tabs. The Addendum to Brief shall be bound in book form along the left margin, preferably in a manner that permits the volume to lie flat when opened. The Addendum to Brief shall have a cover that is the same color and similarly styled as the brief it accompanies (see Form App. 43-1), except that it shall be clearly identified as an Addendum to Brief. An Addendum to Brief may not contain argument.

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Ind. Appellate Rule 50(A)(2) (e) is amended as follows:

(e) any instruction not included in appellant's brief under Rule 46(A)(8)(e), or ~~and~~ the Transcript of the instruction, when error is predicated on the giving or refusing of any instruction;

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Ind. Appellate Rule 50(A)(2)(h) is amended as follows:

(h) any record material relied on in the brief unless the material is already included in the Transcript;

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Ind. Appellate Rule 50(B)(1) is amended as follows:

(1) *Contents of Appellant's Appendix.* The appellant's Appendix in a ~~e~~Criminal ~~a~~Appeal shall contain a table of contents and copies of the following documents, if they exist:

(a) the Clerk's Record, including the chronological case summary;

(b) the portion of the Transcript that contains the rationale of decision and any colloquy related thereto, if and to the extent the brief challenges any oral ruling or statement of decision;

(c) any instruction not included in appellant's brief under Rule 46(A)(8)(e), or the Transcript of the instruction, when error is predicated on the giving or refusing of any instruction;

(d) any other short excerpts from the Record on Appeal, in chronological order, such as ~~essential portions of a contract,~~ pertinent pictures, or brief portions of the Transcript, that are important to a consideration of the issues raised on appeal;

(e) any record material relied on in the brief unless the material is already included in the Transcript;

(f) a verification of accuracy by the attorney or unrepresented party filing the Appendix. The following is an acceptable verification:

"I verify under penalties of perjury that the documents in this Appendix are accurate copies of parts of the Record on Appeal."

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Ind. Appellate Rule 50(B)(2) is amended as follows:

~~2-(2)~~ Appellee's Appendix. The contents of the appellee's Appendix shall be governed by Section (A)(2) of this Rule, except the appellee's Appendix shall not contain any materials already contained in appellant's Appendix. The Appendix may contain additional items that are relevant to either issues raised on appeal or on cross-appeal.

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Ind. Appellate Rule 52(B) is amended as follows:

B. Time for Filing Motion for Oral Argument. A party's motion for oral argument shall be filed no later than seven ~~(7)~~ days after: (1) any reply brief would be due under Rule 45(B), or (2) any reply brief would be due under Rule 57(E) if petitioning to transfer, or (3) any reply brief would be due under Rule 63(E), if petitioning for review.

Ind. Appellate Rule 54(C) is amended as follows:

C. Brief in Response. No brief in response to a Petition for Rehearing is required unless requested by the Court, except that the Attorney General shall be required to file a brief in response to the Petition in a criminal case where the sentence is death. A brief in response to the Petition shall be filed no later than fifteen (15) days after the Petition is served ~~filed~~ or fifteen (15) days after the Court issues its order requesting a response. ~~Rule 25(C), which grants a three-day extension of time for service by mail or third-party commercial carrier does not extend the due date and no Rule 25(C), which provides a three-day extension for service by mail or third-party carrier, may extend the due date; however, no other extension of time shall be granted.~~

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Ind. Appellate Rule 54(F) is amended as follows:

F. Form and Arrangement. The form and arrangement of the Petition for Rehearing and any brief in response shall conform generally to Rule 43 and ~~Rule 46(A), including~~ shall include a table of contents, table of authorities, statement of issues, argument, conclusion, word count certificate, if needed, and certificate of service.

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Ind. Appellate Rule 63(A) is amended as follows:

A. Review of Final Judgment. Any party adversely affected by a Final Judgment of the Tax Court as defined by Rule 2(H), or by a final disposition by the Tax Court of an appeal from a court of probate jurisdiction, shall have a right to petition the Supreme Court for review of the decision. The Petition for Review shall concisely set forth:

(1) Question Presented on Review. A brief statement identifying the issue, question, or precedent warranting review. The statement must not be argumentative or repetitive. The statement shall be set out by itself on the first page after the cover.

(2) Table of Contents. A table of contents containing the items specified in Rule 46(A) (1).

(3) Background and Prior Treatment of Issues on Review. A brief statement of the procedural and substantive facts necessary for consideration of the Petition for Review, including a statement of how the issues relevant to review were raised and resolved by the lower administrative tribunals and the Tax Court.

(4) Argument. An argument section explaining the reasons why review should be granted.

(5) Conclusion. A short and plain statement of the relief requested.

(6) Word Count Certificate, if necessary. See Rule 44(F).

(7) Certificate of Service. See Rule 24(D).

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Ind. Appellate Rule 65(E) is amended as follows:

E. Certification of Opinion ~~of~~ or Not-For-Publication Memorandum Decision. The Clerk shall serve uncertified copies of any opinion or not-for-publication memorandum decision by a Court on Appeal to all counsel of record, unrepresented parties, and the trial court at the time the opinion or memorandum decision is handed down. The Clerk shall certify the opinion or memorandum decision to the trial court or Administrative Agency only after the time for all Petitions for Rehearing, Transfer, or Review has expired, unless all the parties request earlier certification. If the Supreme Court grants transfer or review, the Clerk shall not certify any opinion or memorandum decision until final disposition by the Supreme Court. The trial court, Administrative Agency, and parties shall not take any action in reliance upon the opinion or memorandum decision until the opinion or memorandum decision is certified.

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Form App. R. 15-1, Appellant's Case Summary (Appearance), is amended as follows:

In the Appeal Information box, the following amendment is made:

~~Oral argument desired:~~ Motion for oral argument will be filed: Yes ☐68 No ☐69 Undecided ☐70

~~Pre-appeal conference desired:~~ Motion for pre-appeal conference will be filed: Yes ☐71 No ☐72

In the attorney signature box, the following amendment is made:

I certify that this case ☐does ☐does not involve issues relating to child custody, child support, child visitation, paternity, termination of parental rights, CHINS, adoption, or any other issue entitled to priority by statute.

/s/ Attorney/or pro se litigant's signature

In all other respects, Form App. R. 15-1 remains unchanged, with nothing deleted or removed except as shown by strike-through in the amendments above.

These rule amendments become effective April 1, 2002.

The Clerk of this Court is directed to forward a copy of this order to the Clerk of each Circuit Court in the State of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Supreme Court of Indiana; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission on Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; the libraries of all law schools in the state; LexisNexis; and West Publishing Company.

West Publishing Company is directed to publish this order in the advance sheets of the Court.

The Clerks of the Circuit Courts are directed to bring this order to the attention of all judges within their respective counties and to post this order for examination by the Bar and general public.

Done at Indianapolis, Indiana, this _____ day of _____, 2001.

FOR THE SUPREME COURT

Randall T. Shepard
Chief Justice of Indiana